

## **REMARKS**

### **Elections/Restrictions**

The Examiner has restricted the application under 35 U.S.C. 121 to one of the following inventions:

- I. Claims 1-19, drawn to a composition.
- II. Claims 20-21, drawn to a first method of using the composition.
- III. Claim 22, drawn to a second method of using the composition.
- IV. Claim 23, drawn to a third method of using the composition.
- V. Claim 24, drawn to a use of the composition.

Applicant is also required under 35 U.S.C. 121 to elect a single disclosed species, of the individual components of the composition from claim 1 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

The Applicant provisionally elects Group IV, Claim 23, drawn to a method of enhancing the uptake of a physiologically active agent by administration of a composition to a human or animal. Applicant also presents herein for consideration new claims 25-32 directed to this same invention. Applicant asserts that all claims relate to a single unifying composition and various related uses thereof and as such do not require a separate search.

Applicant further elects species beans as the ground plant material, and deoxycholate as the uptake increasing agent. Applicant understands that the claims will

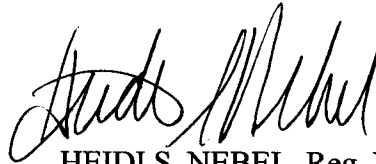
be limited to this species election only in the event that the generic claim is found unpatentable.

### **Conclusion**

This is a request under the provision of 37 CFR § 1.136(a) to extend the period for filing a response in the above-identified application for one month from October 8, 2008 to November 8, 2008. Applicant is a small entity; therefore, please charge Deposit Account number 26-0084 in the amount of \$65.00 to cover the cost of the one-month extension. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Respectfully submitted,



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